



CONTRACT LAW DIVISION

Office of the Assistant General Counsel for Finance & Litigation



Biweekly Report - Period Ending July 20, 1996

Integrated Systems Group, Inc. v. DOC

Appellant has filed its Complaint in this appeal against a termination for default. Appellant alleges, among other things, that PTO breached the contract for delivery of a tape back-up system by denying access to its facilities. Appellant is requesting a hearing in this appeal. The Government's Answer is due in thirty days. Lisa J. Obayashi has the case.

GEM Eng'g Co. v. DOC—GSBCA 13566-COM

We filed our Answer to Appellant's Complaint and are also preparing a motion for a more definite statement and a motion for summary relief in part due to the lack of specificity of allegations in the Complaint. Catherine Shea and Jeff Hughes are working on the case.

BPR/CONOPS--Census Pilot Projects

We drafted a set of supplemental and incorporated Federal Acquisition Regulation clauses to be used in the Laptops pilot project acquisition. We are now primarily working with the pilot project teams for the Data Access and Dissemination (DADS) and Geographic Survey Data acquisitions, as they draft their project agreements and grapple with various issues that arise. We

attended a meeting of both the Census and PTO facilitation teams as well as a joint meeting of all pilot project teams. Fred Kopatich is advising.

Andre Kimboko v. U.S. 96-WY-1305 (D. Colo.)

In this action the AUSA has requested we file our litigation report by July 23. Because the Office of the Vice President had delegated some responsibility for review of the unsolicited proposal to DOC/NTIA, we will prepare and coordinate our litigation report with that office. Catherine Shea has the matter.

International Data Systems v. DOC—GAO No. B-272311

GAO has ruled favorably on the Lisa Obayashi's Motion to Dismiss which was filed on the basis of timeliness. This bid protest involved PTO DeskTop, PTO's latest micro-computer procurement.

Aspen Helicopters, Inc., v. Dept. of Commerce

We are continuing our research to gauge the Department's potential liability for claimed lease termination costs resulting from NOAA's decision not to exercise the contract options. Pending that assessment, we have also begun settlement discussions with Appellant. Cecilia Jones and Mark Langstein have the case.

NIST Site Visit

We participated in NIST's site visit for the "Omnibus" indefinite delivery solicitation for construction under the Capital Improvement Facilities Project (CIFP). The only substantive question allowed (other than written questions) was one pertaining to contract funding, as the contract minimum is for only \$300,000. A senior NIST official responded with a description of the amounts requested for NIST CIFP construction in the President's proposed budget for Fiscal Year 1997. Jeff Hughes is advising.

Appeal of GraphicData

In view of the GPO judge's adverse decision on entitlement, this appeal has been settled for \$325,000. Mark Langstein was advising PTO.

New Contracts Mail List

Watch for an announcement of a new Internet mail-list for Commerce contract legal matters. We hope this will be a useful new avenue for exchange of information between the Contract Law Division and the Department's Procurement Offices.

Actions Completed/Received during Period

	From 7/7/96	To 7/20/96
	Received	Completed
NIST	6	5
NOAA	15	18
O/S	0	3
PTO	6	6
Total	27	32

Contract Law Division—Client Workload Period Ending 07/20/96

